

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MARQUETTA WATTS,	)	
	)	No. CV-05-0258-MWL
Plaintiff,	)	
	)	ORDER GRANTING JOINT
v.	)	MOTION FOR REMAND
	)	
JO ANNE B. BARNHART,	)	
Commissioner of Social	)	
Security,	)	
	)	
Defendant.	)	

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 17). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 18). After considering the stipulation,

**IT IS ORDERED** that the above-captioned case be remanded for further administrative proceedings. Upon remand, the ALJ shall:

- 1) recontact Plaintiff's treating physician and obtain medical expert testimony to determine an onset date of her stage III rectal cancer;
- 2) update the medical record regarding suspicious nodules in Plaintiff's lungs;
- 3) give Plaintiff an opportunity for a hearing to present additional evidence; and
- 4) complete any other action necessary to develop the record and issue a new decision.

1 This Court hereby reverses the Commissioner's decision under  
2 sentence four of 42 U.S.C. § 405(g) with a remand of the cause to  
3 the Commissioner for further proceedings. *See Melkonyan v.*  
4 *Sullivan*, 501 U.S. 89 (1991).

5 **IT IS FURTHER ORDERED:**

6 1. The parties Joint Motion to Remand (**Ct. Rec. 17**) is  
7 **GRANTED.**

8 2. Judgment shall be entered for the **PLAINTIFF.**

9 3. An application for attorney fees may be filed by  
10 separate motion.

11 4. The District Court Executive is directed to enter this  
12 Order, forward copies to counsel, and thereafter shall **close** this  
13 file.

14  
15 DATED this 14<sup>th</sup> day of March, 2006.

16  
17 S/ Michael W. Leavitt  
18 MICHAEL W. LEAVITT  
19 UNITED STATES MAGISTRATE JUDGE  
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